

REMARKS

Claims 1-8, 19-26, 37, and 40-46 are pending in the present application. Claims 9-18, 27-36, 38, and 39 are canceled. Claims 1-5, 19-23, and 37 are amended. More particularly, claims 1, 19, and 37 are amended to include limitations originally presented in claims 4, 5, 22, and 23. Claims 40-46 are added and recite limitations similar to those originally presented in claims 2-8 and 20-26. Reconsideration of the claims is respectfully requested.

I. Application to be Considered Special

This application has received a third non-final Office Action. As per MPEP § 707.02, Applicants respectfully request that the Supervisory Patent Examiner personally check on the pendency of this application and make every effort to terminate prosecution. Applicants request the Examiner and the Examiner's Supervisory Patent Examiner call the undersigned at the below-listed telephone number to discuss a course of action that may result in termination of prosecution.

II. 35 U.S.C. § 102, Anticipation

The Office Action rejects claims 1-4, 6-22, and 24-39 under 35 U.S.C. § 102 as being anticipated by *Outlook 2000*. This rejection is respectfully traversed.

As evidenced by the screenshots provided by the Examiner, *Outlook 2000* is an email client that includes an "Inbox" frame that presents email messages received in a given inbox. *Outlook 2000* allows a user to sort email messages in the inbox by date and time received. When the inbox is sorted by date and time in descending order and scrolled to the top and a new email message is received, *Outlook 2000* automatically presents the new email message at the top. Similarly, when the inbox is sorted by date and time in ascending order and scrolled to the bottom and a new email message is received, *Outlook 2000* automatically presents the new email message at the bottom.

However, considering the case where the inbox is sorted by date and time received in descending order, when the inbox is scrolled so that the most recently received message is not currently presented on the display and a new email message is

received, *Outlook 2000* does not automatically scroll the inbox to display the new email message. In fact, the only time a newly received email message is automatically presented in the inbox display is when the inbox is already scrolled to the location in which the new email message would be inserted.

In contradistinction, the present invention provides a method, apparatus, and computer program product for generating an event monitoring display where an event message is inserted into a field adjacent to a previous message with the same identifier whereby messages with the same identifier appear in chronological order. The field is then presented and, responsive to insertion of the event message, the field is scrolled so that the event message is visible. *Outlook 2000* does not teach or suggest inserting an event message into a field adjacent to a previous message with the same identifier and presenting the messages with the same identifier in a chronological order and automatically scrolling the field so that the event message is visible.

At best, *Outlook 2000* allows a user to present email messages in the inbox sorted by an identifier other than date and time received. However, when the inbox is sorted in this manner, the inbox does not automatically scroll responsive to insertion of a new email message so that the new email message is visible. In the rejection of claim 4, for example, the Office Action does not address this deficiency of the *Outlook 2000* reference. That is, the Office Action does not proffer any analysis as to why *Outlook 2000* anticipates all of the limitations of claim 4, for example. More particularly, while *Outlook 2000* may teach that emails in an inbox may be sorted by an identifier other than date and time received, *Outlook 2000* does not teach this feature combined with the feature of automatically scrolling the field so that a newly inserted message is visible.

Independent claims 19 and 37 recite subject matter addressed above with respect to claim 1 and are allowable for similar reasons. Since claims 2-8 and 20-26, as well as new claims 40-46, depend from claims 1, 19, and 37, the same distinctions between *Outlook 2000* and the invention recited in claims 1, 19, and 37 apply for these claims. Additionally, claims 2-8, 20-26, and 40-46 recite other additional combinations of features not suggested by the reference.

Therefore, Applicants respectfully request withdrawal of the rejection of claims 1-4, 6-22, and 24-39 under 35 U.S.C. § 102.

Furthermore, *Outlook 2000* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Office Action pointing out some teaching or incentive to implement *Outlook 2000* to insert received messages adjacent to previously received message with the same identifier whereby messages with the same identifier appear in a chronological order and automatically scrolling the field so that new messages are visible, one of ordinary skill in the art would not be led to modify *Outlook 2000* to reach the present invention when the reference is examined as a whole. *Outlook 2000* is concerned with presenting messages that are received relatively infrequently. For instance, an email client may receive a new message once every fifteen minutes or once every two or three days. There is no need in *Outlook 2000* for quickly and automatically associating messages and visibly displaying them by identifier and chronology. Absent some teaching, suggestion, or incentive to modify *Outlook 2000* in this manner, the presently claimed invention can be reached only through an improper use of hindsight using Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

III. 35 U.S.C. § 103, Obviousness

The Office Action rejects claims 5 and 23 under 35 U.S.C. § 103 as being unpatentable over *Outlook*. This rejection is respectfully traversed.

The Office Action acknowledges that *Outlook 2000* fails to teach wherein the step of inserting the event message into the field comprises inserting the event message before a previous message with the same identifier, whereby messages with the same identifier appear in reverse chronological order. However, the Examiner takes Official Notice "of" the missing feature. It is unclear of what the Examiner is taking Official Notice. Presumably, the Examiner takes Official Notice that the claim limitations of claims 5 and 23 are "well known," as later mentioned in the rejection. Applicants respectfully traverse the Official Notice taken in the Office Action. There is no evidence in the prior art that inserting an event message into a field before a message with the same identifier whereby messages with the same identifier appear in reverse chronological order is "well known."

Furthermore, even assuming, *arguendo*, that inserting a message into a field such that the messages in the field are grouped by identifier and appear in reverse

chronological order were well known, the prior art, when considered as a whole, fails to render obvious the **combination** of features recited in claims 5 and 23. That is, the prior fails to teach or fairly suggest inserting a message into a field such that the messages in the field are grouped by identifier and appear in reverse chronological order and automatically scrolling the field so that the newly inserted message is visible. As such, the Office Action fails to establish a *prima facie* case of obviousness for claims 5 and 23.

Therefore, Applicants respectfully request withdrawal of the rejection of claims 5 and 23 under 35 U.S.C. § 103.

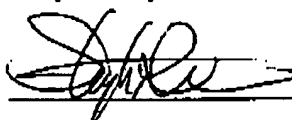
IV. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: July 20, 2005

Respectfully submitted,



Stephen R. Tkacs
Reg. No. 46,430
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Agent for Applicants